

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

DANIEL LEE PHILLIPS,

Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

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No. 2:20-cv-00039

ORDER

In this appeal from the denial of disability insurance benefits and supplemental security income, Magistrate Judge Newbern has entered a Report and Recommendation (Doc. No. 29) in which she recommends that the decision of the Administrative Law Judge (“ALJ”) be vacated and that the case be remanded for further administrative proceedings consistent with her recommendation. No objections have been filed.

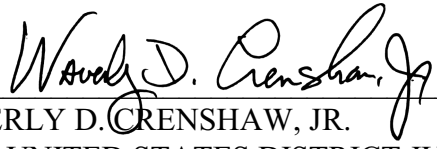
Having reviewed the matter *de novo* in accordance with Rule 72 of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition because, among other things, the ALJ failed to consider the record as a whole and the “ALJ’s opinion fails to provide the kind of ‘cogent explanation’ for his reasoning that the new and more permissive regulations require.” (*Id.* at 18). Accordingly, the Court rules as follows:

- (1) The Report and Recommendation (Doc. No. 29) is **ACCEPTED** and **APPROVED**;
- (2) Plaintiff’s Motion for Judgment on the Administrative Record (Doc. No. 25-1) is **GRANTED**;
- (3) The decision of the ALJ is **VACATED**; and
- (4) This matter is **REMANDED** to the Commissioner of Social Security for further

proceedings in accordance with Magistrate Judge Newbern's Report and Recommendation.

The Clerk of the Court will enter a final judgment and close this case.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE